



Attorney Docket: 225/49845
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JORG BAUMGART ET AL.

Serial No.: 09/807,125 Group Art Unit: 2851

Filed: OCTOBER 10, 2001 Examiner: Andrew T. Sever

Title: MEASUREMENT OF SMALL, PERIODIC UNDULATIONS IN
SURFACES

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97 and 1.98**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 28, 2004

Sir:

This supplements the Information Disclosure Statement submitted in the above-identified application on September 30, 2003.

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the document listed on the attached Form PTO-1449 which the Examiner may deem relevant to patentability of the claims of the above-identified application. This document was cited in an Office Action (copy enclosed) from a Japanese counterpart application No. 2000-576235.

An English-language abridgment of this document is also submitted herewith.

The present Information Disclosure Statement is being filed after either a final Office Action or a Notice of Allowance, and payment of the Issue Fee.

However, this case was withdrawn from issuance, and therefore a Statement Under 37 C.F.R. §1.97(e) is filed concurrently herewith, and Applicant submits herewith a check in the amount of \$180.00 in payment of the requisite fee under 37 C.F.R. §1.17(p).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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FORM PTO-1449 Department of Commerce Patent & Trademark Office INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		Attorney Docket No. 225/49845	Application No. 09/807,125
		Applicant: Joerg BAUMGART et al	
		Filed: April 9, 2001	Group 2851

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date (if appropriate)
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						

FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	TRANSLATION
							Yes
	AK	07-159344	06-23-1995	Dainippon Screen Mfg Co Ltd.			Abridgement
	AL						
	AM						
	AN						
	AO						
	AP						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	AQ						
	AR						
	AS						

EXAMINER			DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.							